

“state a claim to relief that is plausible on its face.” *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007).

The only mention of Yahoo in Plaintiff’s Complaint is a listing in the caption with the word “supeona [sic]” next to it. *See* Compl. at 1 (Doc. No. 1). Yahoo is not listed in the first page of Plaintiff’s Complaint in the “Defendants” section, *id.* at 2, and Plaintiff’s Complaint does not make a single factual allegation against Yahoo. *See generally id.* The Court agrees with Yahoo that “as opposed to naming Yahoo as a defendant, it may be the case that Plaintiff actually intended to subpoena Yahoo, an email service provider, for records in support of one of her causes of action.” *See* Yahoo’s Mot. at 1 (Doc. No. 8–1).¹

Plaintiff fails to allege any facts at all against Yahoo, let alone facts sufficient to state a claim against Yahoo. As such, Yahoo’s Motion to Dismiss (Doc. No. 8) is **GRANTED** and any claim against Yahoo is **DISMISSED**.

Dated: 08/09/2016

s/ Robert B. Kugler

ROBERT B. KUGLER

United States District Judge

¹ If Plaintiff intended to subpoena Yahoo, she should review and comply with Federal Rule of Civil Procedure 45, which sets out the proper form and contents for a subpoena, as well as the requirements for service. *See* Fed. R. Civ. P. 45(a)–(b).